

2018

Car Parking Enforcement - Frequently Asked Questions



INVERCLYDE COUNCIL

May 2019

Decriminalised Parking Enforcement

Frequently asked Questions and Answers

1. What does Decriminalised Parking Enforcement mean?

Decriminalised parking enforcement (DPE) is the process which the Council uses to enforce parking restrictions on-street and in Council owned off-street car parks, under the Road Traffic Act 1991. This is as a result of the transfer of the power to enforce parking restrictions from Police Scotland's Traffic Wardens to Inverclyde Council employed Parking Attendants.

Parking Attendants working for the Council now enforce parking offences and issue Penalty Charge Notices (PCNs), for non-compliance. Police Scotland remain responsible for all moving traffic offences in Inverclyde as well as instances of obstruction.

Parking offences ceased to be criminal offences and are therefore 'decriminalised'. Any fines issued by Parking Attendants are treated as civil debts and income generated through the issue of PCNs is retained by the Council and goes towards scheme running costs or, if in surplus, other transport related schemes.

2. Why did we need a Parking Strategy?

The Council recognised the parking situation was not meeting the needs of our town centres. Greenock Town Centre had suffered from problems with inconsiderately or illegally parked vehicles for a number of years. Complaints were received from the public and businesses about parking spaces being unavailable and congestion affecting road safety and deliveries. Parking on yellow lines was commonplace and reportedly having an economic impact on Greenock Town Centre.

Inconsiderate and illegal parking was a real issue causing safety concerns and serious inconvenience to shoppers, disabled people and businesses. The Parking Strategy provided a better managed system with better availability of spaces and, by reducing congestion in the area, has improved access for deliveries and improved pedestrian safety.

3. When did the parking enforcement come into effect?

Parking enforcement through DPE became effective from 6 October 2014 across the whole of Inverclyde.

4. What Consultation has taken place on the Parking Strategy?

Public and employee engagement was undertaken following the Committee Report of 25 October 2012 when press releases were sent to the local and national press and posted on the Council's staff intranet site (ICON).

The outline strategy was consulted on with key stakeholders and the community at a number of events in late 2011/early 2012 which consisted of a questionnaire sent to the Citizens' Panel, a 5,000 household leaflet drop, exhibitions in the Oak Mall and meetings with Community Councils.

The statutory public consultation procedure for the strategy's Traffic Regulation Orders (the legal documents that make enforcement of the restrictions possible) was undertaken between July and August 2013. The proposal attracted some objections and so some changes were made to the Orders to help those with specific problems. A number of objectors wished to maintain their objections, despite

our efforts, so a Hearing before an independent Reporter was held on 8 April 2014. The Reporter issued his recommendations on 29 May 2014 which were that the Orders should be made as proposed subject to the following changes:

- the duration of maximum stay of the Cathcart Street on-street parking bays, should be increased from 30 minutes to 1 hour;
- the duration of maximum stay of the William Street on-street parking bays, should be increased from 30 minutes to 2 hours;
- the duration of maximum stay of the Cathcart Street West car park should be increased from 2 hours to 3 hours; and
- the duration of maximum stay of the Bullring car park should be increased from 2 hours to 3 hours.

These recommendations have since been incorporated into the Traffic Regulation Orders (TROs).

Further changes have been made to the TROs throughout Inverclyde and these have been subject to a statutory public consultation process and this process will continue for any future changes to the TROs.

5. What is our parking Strategy?

The strategy was designed to address parking issues in Inverclyde. It provides parking opportunities for all road users by introducing signs and lines to advise where parking can take place and for how long. Restrictions are generally in operation from 08:00 to 18:00 Monday to Friday.

A key part of our parking strategy involved reviewing the existing TROs in the area. Our roads officers examined what was in place and promoted five TROs to collect all the restrictions together into one place for ease of administration. The TROs cover:-

- Inner Greenock;
- Outer Greenock;
- Port Glasgow, Kilmacolm and Quarriers Village;
- Gourock, Inverkip and Wemyss Bay; and
- Off-street car parks.

All the TROs except 'Inner Greenock' did little more than record the existing restrictions that everyone was used to over the years. The Inner Greenock TRO recorded the strategy's on-street and off-street parking controls in the inner town centre of Greenock. Within this zone, on-street parking is allowed free for maximum durations of 2 hours. Off-street parking is divided into medium stay up to 3 hours free and long stay for which a day ticket costs £2. With the exception of the 2 Council owned car parks on Station Road, Gourock, car parks outside Inner Greenock will remain free. Free, time limited parking places require the driver to display a simple cardboard clock disc on the dashboard showing the time at which they parked. The discs are reusable and are available free of charge from Council offices and local volunteer traders such as newsagents, etc. The £2 tickets are available from pay and display machines.

6. What are the parking restrictions that have been implemented in Inner Greenock Town Centre?

All time limited on-street parking bays in Inner Greenock are subject to a 2 hour maximum stay and the vehicle must display a parking disc.

There is 3 hours free parking in the Cathcart Street West car park and day long parking in the Council's other town centre car parks in Greenock, charged at £2.00 per day.

The car parks in Inner Greenock operate from 08:00 to 18:00 Monday to Friday. Saturday and Sunday

parking is free of charge and without time limit.

Penalties apply to those parking beyond the 3 hours in the free car park, parking without displaying a disc in the 3 hour free car park (this includes blue badge holders) or parking without a valid ticket in the all-day car parks.

7. What is a parking disc? Where can I get one/are they free?

Parking discs are available at Council buildings and a number of local shops (there are signs in the windows advising discs can be obtained there).

Visitors to Inverclyde will see signs at the entrance to the town centre explaining this is a disc zone and that they will need to use one to park.

The discs are free.

The instructions for use of the discs are printed on the disc itself. You set it to your arrival time and put it inside the car windscreen. Parking Attendants can then compare how long you have been parked with the time allowed on the parking signs. It is an offence to not display a disc, to put the wrong time on it or alter the time displayed on the disc after you initially park.

8. Where can I park free of charge?

On-Street Parking – in marked white bays, is free for up to 2 hours depending on location.

Off-Street Parking Greenock Town Centre - is free in the Cathcart Street West car park for a period of up to 3 hours.

Off-Street Parking outwith Greenock Town Centre - is free in all car parks with the exception of the 2 Council owned car parks on Station Road, Gourock. Kempock Street West car park has a 3 hour waiting limit and Princes Street car park has a 2 hour waiting limit. All other car parks have no time limit.

9. What days/times are restrictions in place?

Details will be on signs next to the location concerned. However, the scheme's operational hours are generally between 08:00 and 18:00 Monday to Friday.

10. What car parking spaces are available?

Free for 2 hours – Port Glasgow - Princes Street.

Free for 3 hours - Greenock - Cathcart Street West and Cinema

Gourock - Kempock Street West,.

Free with no time limit – Greenock - Bruce Street, Roxburgh Street and Waterfront

Port Glasgow - Shore Street, Fore Street, William Street, Highholm Avenue and East Road

Gourock - Kempock Street East, Cove Road, Manor Crescent and Cloch Road

Kilmacolm - Lochwinnoch Road, Station Road and Barrs Brae

Inverkip - Fran Terrace.

Resident Permit Holder Only – Greenock – Cathcart Buildings, Shaw Place, Royal Court, East Shaw

Street and Buccleugh Street.

Long stay charged at £2 per day - you pay for a ticket which is reusable on the same day and will be accepted in any of the long stay '£2 a day' car parks (no charge for Blue Badge holders). If a person purchases a ticket and has to leave the car park then the ticket is still valid on their return as long as it is on the same day. Tickets cannot be passed from one person to another to use up unspent time.

Car parks subject to the '£2 per day' charge are:

Greenock – Bullring, Cathcart Street East, Station Avenue East, Station Avenue West, Roslin Street, West Stewart Street, Dalrymple Street and Hastie Street.

Gourock – Station Road North and Station Road South

A map which will show the location of the parking zones in Greenock Town Centre can be found at the following link:

<http://www.inverclyde.gov.uk/environment/roads-lighting/parking-inverclyde>

11. What is a Traffic Regulation Order

A Traffic Regulation Order (TRO) is a legal order which makes the restrictions listed in it enforceable. Every time there is a need to vary the way in which you are permitted to use the road or a Council controlled off-street car park, the Council must promote a TRO or a variation to an existing TRO explaining the circumstances.

TROs are consulted on with the public. The statutory public notice for a TRO will include the reasons for the proposed variations and the general effects they will have. TROs are required for many different restrictions including:-

- Waiting and loading
- One-way streets
- Speed limits
- Weight and width restrictions
- Access and turning restrictions
- Road and footway closures - both permanent and temporary
- Cycle and bus lanes

All new TROs will be published on the Council's website. TROs are also advertised in the local press and are displayed for public view in appropriate Council offices.

12. If parking is decriminalised can I park where I like?

No. Parking offences have been decriminalised and powers have been given to Inverclyde Council to allow them to enforce parking restrictions. The increased level of enforcement under DPE means you could be more likely to receive a PCN if you contravene the Regulations.

13. How will I know if I am parked legally

Read the signs next to the parking bays or yellow lines – they will explain when you can park, for how long and if you need to pay. For further advice on typical lines and signs please follow this link for the Highway Code at <https://www.gov.uk/highway-code>.

In all free spaces with time limits you will need to put a disc in the windscreen.

14. How is decriminalised parking enforcement done?

Parking Attendants will patrol all areas of Inverclyde where parking restrictions are in force. This will include yellow lines, limited waiting areas, loading and unloading areas, disabled bays, and Council controlled off-street car parks.

15. How much will a Penalty Charge Notice (PCN) cost and how do I pay?

Parking Attendants will issue PCNs which are set at £60. The penalty charge is reduced by 50% to £30 if paid within 14 days of the date of issue. If a PCN remains unpaid after 56 days it will be increased by 50% to £90.

Should the Council need to remove parked vehicles, charges may be made for removal, storage and in extreme circumstances, the disposal of unclaimed vehicles to cover the Council's expenses.

Parking Attendants cannot accept payment and are under strict instructions that once a PCN has been issued it cannot be withdrawn. Drivers will however be given the opportunity to appeal against any aspect surrounding the issue of a PCN where reasonable.

Details of how to pay a PCN, how to make an appeal, etc. are displayed on the PCN and any correspondence you receive following the issue of a PCN such as a Notice to Owner.

16. What methods are available to make payment of a PCN?

Details of how to pay a PCN is explained on the back of the PCN. Payment will be possible by post to Inverclyde Parking, PO Box 597, Northampton, NN4 7XN, with cheques or postal orders made payable to 'Inverclyde Council'. Payment by credit or debit card can be made, by automated phone line number: - 03300 889662.

You can also pay online at <https://parking.inverclyde.gov.uk/LIVE-3SC-USER/> using details displayed on your PCN i.e. the PCN number and vehicle registration number.

17. Can Motorists contest liability for a Penalty Charge Notice?

Motorists wishing to contest liability for PCN may make representations to the Council and, if rejected, may appeal to an independent adjudicator, whose decision is final.

18. What do I do if I want to Appeal?

Write to Inverclyde Parking, PO Box 597, Northampton, NN4 7XN or email parking@inverclyde.gov.uk with your reasons why you think you are not due to pay the penalty. Your appeal will be considered and if your appeal is upheld the PCN will be cancelled. If your appeal is not upheld you can take your case to an independent adjudicator and have your case dealt with in person or by written submission.

19. Do Parking Attendants have targets to meet?

No, there will be no target for the number of PCNs that a Parking Attendant must issue.

20. What are the benefits of local enforcement?

Local enforcement will keep Inverclyde moving, discourage dangerous and inconsiderate parking, support local businesses, assist loading and unloading and assist Blue Badge holders.

21. Will the police be responsible for any parking enforcement?

The Police will not be responsible for enforcing any permanent waiting, loading or parking restrictions. They will still enforce all "moving" traffic offences and matters of obstruction and some temporary waiting restrictions, such as areas marked with "Police No Waiting" cones at special events. Parking Attendants can only enforce restrictions that are marked with signs and yellow lines or white parking bays.

22. How do I avoid getting a PCN?

Motorists who do not contravene parking regulations will not receive a PCN. Look out for the lines, signs and notices when you park. These will tell you about any restrictions or charges in force. The Highway Code will help explain what the signs and lines mean. Further useful information is contained on the Council website.

23. If I receive a PCN will I get penalty points on my licence?

No. Penalty points are only received for offences dealt with by the Police under criminal law.

24. What happens if I don't pay the Penalty Charge Notice?

Non-payment of a PCN will result in the issue of a Charge Certificate which increases the value of the PCN from £60 to £90. If the penalty charge remains unpaid the Charge Certificate will be passed to debt recovery agents for collection.

25. Can I park on a single yellow line to pick up a newspaper or buy a sandwich?

No, unless you park at times when the regulations are not in force. The times of operation will be shown on adjacent signs usually located near to the kerb side. Parking for even short periods within these times is not permitted and you may be issued with a PCN.

26. Can I park on a yellow line if there are no signs indicating times?

No, not all restrictions need a sign. For example double yellow lines indicate "No Waiting at any Time" and do not require a sign.

27. I am a blue badge holder, will the changes affect me?

The Blue Badge scheme will continue to operate as before. If you park in accordance with the Blue Badge scheme rules you will not receive a PCN. Roadside disabled bays in the Inner Greenock Town Centre are limited to 3 hour stays. Blue Badge holders using these spaces must use a parking disc to record their arrival time. Within Council car parks all Blue Badge holders are exempt from parking charges, however, any time limits still apply to Blue Badge holders. This may not be the case in private car parks so please check.

28. I drive a Motor Cycle, how do the parking restrictions affect me?

Motor Cycles are permitted to park in off-street car parks free of charge, without time of limit and they do not need to display a Pay & Display Ticket or Parking Disc. For on-street parking, Motor Cycles are subject to the rules of single and double yellow lines but they can park without limit of time in time restricted locations and once again they do not require to display a Parking Disc in any Disc Zones.

29. Will the restrictions apply on public holidays

Waiting and loading restrictions as indicated by white or yellow lines/ markings on the carriageway and/ or kerbs will be in force throughout the year. Unless the on-street signs state expressly "except public holidays" the relevant restriction will apply on public holidays.

30. Are there any exemptions to the Penalty Charge Notice

Council vehicles are exempt in the circumstances described: - Local Authority Vehicles (or those of contractual agents) whilst being used to carry out statutory duties (i.e. refuse collection, street cleansing, highway maintenance) or whilst carrying out duties that require the vehicle to be in close proximity (i.e. verge grass cutting). Any unattended vehicles will be issued with a PCN and will not be cancelled.

31. Residents' Parking Permits

Residents' parking permits are available to some residents in Greenock and Wemyss Bay. The permit zones are:

GR1 - Argyle Street,
Cathcart Street,
Cross Shore Street,
Dalrymple Street (between Laird Street and Grey Place)
Jamaica Street,
Grey Place,
Laird Street,
Nicolson Street (between Dalrymple Street and West Stewart Street),
Roslin Street,
Station Avenue,
West Blackhall Street,
Westburn Street,
West Stewart Street,
William Street.

GR2 - Ann Street,
Bearhope Street,
Buccleugh Street,
Crown Street,
Duncan Street,
East Shaw Street,
King Street,
Sir Michael Street,
Sir Michael Place,
Smith Street,
Tobago Street.

GR3 - Houston Street (between Kelly Street and Patrick Street),
Jamaica Lane,
Kelly Street between (Houston Street and Union Street).

GR4 - Mearns Street (between Shaw Place and Regent Street),
Shaw Place,
Trafalgar Street (between Shaw Place and Regent Street).

WB1 – Shore Road, Wemyss Bay.

Residents on parts of High Street, Inverkip Street and Regent Street maybe eligible for a permit.

Some properties on Shore Road, Wemyss Bay may be eligible for a permit where no off-street

parking is available to them.

Blue badge holders are exempt from the parking restrictions in Zones GR2, GR3, GR4 and WB1.

Permits are issued in accordance with the Terms and Conditions outlined at <https://www.inverclyde.gov.uk/environment/roads-lighting/parking-inverclyde/residents-parking-permits> and are free of charge.

32. What should I do if I have a complaint?

Complaints should be made in writing to the following address: Customer Contact Centre, Inverclyde Council, Municipal Buildings, Greenock, PA15 1LY.